



Department of Public Health and Social Services
Division of Environmental Health
Food Establishment Inspection Report



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Establishment Name: San Jose Supermarket

Permit Holder: San Jose Investment, LLC

Inspection Date: 3/27/17

Sanitary Permit No.: 160002075

Location: Lot 1125-R5New-R5 #601 Chalan Machaute, Maite

Time In: 2:00 Time Out: 6:40 Establishment Type: Retail Area Number: 4 Phone Number: 472-1135

Inspection Reason: Complaint Regular Grade: D Rating: 42

No. of Risk Factor/Intervention Violations: 5 Follow-up: Risk category:

No. of Repeat Risk Factor/Intervention Violations: 0 Follow-up Date: 2

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Select designated compliance (IN, OUT, N/O, N/A) for each numbered item. Mark 'X' in appropriate box for COS and/or R.
IN = In compliance OUT = Not in compliance N/O = Not observed N/A = Not applicable COS = Corrected on-site during inspection
R = Repeat violation PTS = Demerit points

Compliance Status			COS	R	PTS	Compliance Status			COS	R	PTS
Supervision						Potentially Hazardous Food (TCS Food)					
1	Out	Person in charge present, demonstrates knowledge, and performs duties	N	N	6	16	N/A	Proper cooking time and temperatures			6
Employee Health						17	N/A	Proper reheating procedures for hot			6
2	Out	Management awareness; policy present	N	N	6	18	N/O	Proper cooling time and temperatures			6
3	In	Proper use of reporting, restriction, and exclusion	N	N	6	19	N/A	Proper hot holding temperatures			6
Good Hygienic Practices						20	OUT	Proper cold holding temperatures	N	N	6
4	In	Proper eating, tasting, drinking, betelnut, or tobacco use	N	N	6	21	In	Proper date marking and disposition			6
5	In	No discharge from eyes, nose, and mouth	N	N	6	Consumer Advisory					
Preventing Contamination by Hands						22	NA	Consumer Advisory provided for raw or undercooked foods			6
6	N/O	Hands clean and properly washed	N	N	6	Highly Susceptible Populations					
7	N/A	No bare hand contact with ready-to-eat foods or approved alternate method properly followed	N		6	23	NA	Pasteurized foods used; prohibited foods not offered			6
8	Out	Adequate handwashing facilities supplied and accessible	N	N	6	Chemical					
Approved Source						24	NA	Food additives: approved and properly used			6
9	In	Food obtained from approved source	N	N	6	25	In	Toxic substances properly identified, stored, used			6
10	N/O	Food received at proper temperature			6	Conformance with Approved Procedures					
11	In	Food in good condition, safe, and unadulterated			6	26	NA	Compliance with variance, specialized process, and HACCP plan			6
12	N/A	Required records available: shellstock tags, parasite destruction			6	Risk Factors are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health interventions are control measures to prevent foodborne illness or injury.					
Protection from Contamination											
13	OUT	Food separated and protected	N	N	6						
14		Food contact surfaces: cleaned and sanitized			6						
15		Proper disposition of returned, previously served, reconditioned, and unsafe food			6						

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark box if numbered item is not in compliance and/or if COS and/or R. COS = Corrected on-site during inspection R = Repeat violation PTS = Demerit points

Compliance Status			COS	R	PTS	Compliance Status			COS	R	PTS
Safe Food and Water						Proper Use of Utensils					
27		Pasteurized eggs used where required			1	40		In-use utensils: properly stored			1
28		Water and ice from approved source			2	41		Utensils, equipment and linens: properly stored, dried, handled			1
29		Variance obtained for specialized processing methods			1	42		Single-use/single-service articles:			1
Food Temperature Control											

Person in Charge (Print and Sign) Kenny Yoon

DEH Inspector (Print and Sign) Leilani Navarro

Secondary Inspector:

Tertiary Inspector:

Date: 3/27/2017
Leilani Navarro

3/27/2017

3/27/2017



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Food Temperature Control				
30		Proper cooling methods used; adequate equipment for temperature control		1
31		Plant food properly cooked for hot holding		1
32		Approved thawing methods used		1
33	Out	Thermometer provided and accurate	N	N 1
Food Identification				
34		Food properly labeled; original container		1
Prevention of Food Contamination				
35	Out	Insects, rodents, and animals not present	N	N 2
36	Out	Contamination prevented during food preparation, storage & display	N	N 1
37		Personal cleanliness		1
38		Wiping cloths: properly used and stored		1
39		Washing fruits and vegetables		1
I have read and understand the above violation(s), and I am aware of the corrective measures that shall be taken.				
42		Single-use/single-service articles: properly stored, used		1
43		Gloves used properly		1
Utensils, Equipment and Vending				
44		Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used		1
45	Out	Warewashing facilities: installed, maintained, used; test strips	N	N 1
48		Nonfood-contact surfaces clean		1
Physical Facilities				
47		Hot & cold water available, adequate pressure		2
48		Plumbing installed; proper backflow devices		2
49		Sewage and wastewater properly disposed		2
50	Out	Toilet facilities: properly constructed, supplied, & cleaned	N	N 2
51	Out	Garbage/refuse properly disposed; facilities maintained	N	N 2
52	Out	Physical facilities installed, maintained, and clean	N	1
53		Adequate ventilation and lighting; designated areas use		1
Documents and Placards				
54	Out	Sanitary Permit, Health Certificates	N	N 2

TEMPERATURE OBSERVATIONS

Item/Location	Temperature (oF)	Item/Location	Temperature (oF)
Raw turkey / chiller	52.0		
Raw beef steak / chiller	49.5		
Raw shelled eggs / chiller	60.5		

ITEM NO.	OBSERVATIONS AND CORRECTIVE ACTIONS	CORRECT BY DATE
	A regular inspection was conducted today in response to Complaint No. 17-0278 regarding rat droppings in the facility. The complaint was found to be substantiated during this inspection. Previous inspection conducted on 03/08/17 was not graded (21/NA). The following violations were observed today:	
1	Person in charge (PIC) does not demonstrate knowledge of the Guam Food Code (GFC) and has no Manager's Certification. PIC demonstrate knowledge of the GFC to ensure that food safety practices are being implemented.	
2	No employee health policy in place. Employee health policy shall be present to ensure training on restriction and exclusion.	

Person in Charge (Print and Sign) Kenny Yoon

DEH Inspector (Print and Sign) Leilani Navarro

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8	Handwashing sink in both restrooms not provided with soap and paper towels. Soap and paper towel shall be provided to facilitate proper handwashing.	
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Based on the inspection today, the items listed above identify violations which shall be corrected by the date specified by the Department. Failure to comply may result in the immediate suspension of the Sanitary Permit or downgrade. If seeking to appeal the result of any notice or inspection findings, a written request for hearing must be submitted to the Director within the period of time established in the notice for corrections.

ITEM NO.	OBSERVATIONS AND CORRECTIVE ACTIONS	CORRECT BY DATE
13	Raw turkey being stored on top of raw pork and below raw beef in the display chiller at the back. Food shall be properly stacked in the chiller to prevent cross-contamination.	
20	Potentially Hazardous Food/Time and Temperature for Safety (PHF/TCS) foods such as raw turkey, raw beef, and raw shelled eggs not meeting internal temperature requirements for cold holding. PHF/TCS foods shall be kept at internal temperatures of 41 F or below for cold holding to minimize growth of pathogens that may cause foodborne illness.	
33	No food thermometer and ambient air thermometers provided for all chill units. Thermometers shall be provided to properly monitor internal temperatures of food and ambient temperatures of chill units.	
35	Signs of rat infestation such as rat droppings, bite marks, and rat holes and nests found everywhere in the store and in the storage area, some dead cockroaches found in the restroom; multiple openings found in the ceilings, walls, and doors. No documentation for pest control activities provided. Pests shall not be present to prevent contamination of food and surfaces.	
36	Some food items and drinks stored directly on the floor. Food and drink shall be stored at least six inches off the ground to prevent contamination.	
45	Warewashing facilities generally unclean; test strips not provided. Warewashing facilities shall be maintained in clean condition and test strips used to ensure that utensils and equipment are being washed, rinsed, and sanitized properly.	
50	Both male and female toilets bowls and floors have dark stains; observed cobwebs on the ceilings; self-closing device in the men's restroom is in disrepair. Toilet facilities shall be cleaned regularly to prevent spread of germs.	

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ITEM NO.	OBSERVATIONS AND CORRECTIVE ACTIONS	CORRECT BY DATE
51	A bunch of cardboard boxes and other garbage/rubbish stored directly on the floor at the back of the building. Garbage and refuse shall be properly disposed to prevent harborage of pests.	
52	Shelves at the back near the cookware are in disrepair; chill unit for drinks near the front counter is leaking; the bottom panel of one chill unit in the front is in disrepair. Physical facilities shall be maintained in good repair to ensure efficiency of equipment.	
	Two employees working without valid health certificates (Sunet Alexander, DOB: 07/22/1981 and Senlann Mirky, DOB: 07/22/1981)	

Person in Charge
(Print and Sign) Kenny Yoon

Date:

3/27/2017

DEH Inspector
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54	Two employees working without valid health certificates (Sunet Alexander, DOB: 07/22/1981 and Senlann Micky, DOB: 05/10/1996). All workers shall have valid health certificates to prevent spread of disease.	
	Section §4415 of the Health Certificate Regulations states, "...every eating and drinking establishment and food establishment...shall have a designated manager or supervisor who shall be certified under the provisions of these rules and regulations... (and) is a requirement in addition to, and not in lieu of, a Health Certificate	
	Section 21109(a) (Suspension and Revocation of Permit) states, "A permit may be suspended by the Director pursuant to §21107(2)(d) or upon the violation by the holder or by a person in his employ or under his supervision or control of any of the provisions of this part.	
	Section 21109(b) states, "Suspension of a permit may be imposed without prior hearing in the discretion of the Director by giving written notice thereof to the holder, in which case, the holder shall have five days within which to request a hearing. Suspension without prior hearing may be imposed for such time until the violation is corrected, or may be imposed as a penalty for repeated violations, in which case, it shall not exceed five days, or may be imposed	
	pending a hearing under Subsections (c) or (d) of this Section. When a hearing is requested following a suspension without prior hearing, it shall be discretionary with the Director as to whether suspension shall be continued pending the hearing. Hearings requested following the suspension of a permit without prior hearing shall be conducted in accordance with the provisions of the Administrative Adjudication Law."	

Based on the inspection today, the items listed above identify violations which shall be corrected by the date specified by the Department. Failure to comply may result in the immediate suspension of the Sanitary Permit or downgrade. If seeking to appeal the result of any notice or inspection findings, a written request for hearing must be submitted to the Director within the period of time established in the notice for corrections.

ITEM NO.	OBSERVATIONS AND CORRECTIVE ACTIONS	CORRECT BY DATE
	Section 20118 (Penalty) states that any person who violates any provision of this part, or any valid rule or regulation, or who refuses or neglects to comply with any order issued by the Director of the Department of Public Health and Social Services, or other officers and personnel of the Department in the carrying out of the provision of this part, the penalty for which is not otherwise prescribed in this part, is guilty of a misdemeanor.	
	Removed "A" Placard. Sanitary Permit is suspended due to Imminent health hazard (rat infestation). Posted "D" Placard No. 0352, Notice of Closure, and Re-inspection Request Form.	
	A reinstatement fee of \$100 shall be paid to the Division of Environmental Health of the Department of Public Health and Social Services upon completion of a follow-up inspection. Discussed this report with manager, Kenny Yoon.	

Person in Charge (Print and Sign) Kenny Yoon

Date:

3/27/2017

DEH Inspector (Print and Sign) Leilani Navarro

Leilani Navarro

3/27/2017

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GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

Date: 03/27/17

SAN JOSE SUPERMARKET (RETAIL)

Name of Establishment

As a result of this inspection your establishment received a:

☐ LETTER OF WARNING

(Demerit/Grade Points)

Once you have corrected all violations cited on your establishment's inspection report, you must provide us a written request for re-inspection to include a description of the corrective measures that you have implemented. If we do not receive a written re-inspection request from you, we will conduct a follow-up inspection after ten (10) calendar days from the official receipt of this notice to ensure that corrective measures have been taken.

Failure to correct violations may result in the closure of your establishment pursuant to section 21109(b) of 10GCA, Chapter 21.

☒ NOTICE OF CLOSURE

42/0
(Demerit/Grade Points)

Once you have corrected all violations cited on your establishment's inspection report, you must provide us a written request for re-inspection to include a description of the corrective measures that you have implemented. Unlike an establishment who has received a letter of warning, an establishment shall remain closed unless a written request for re-inspection is made. Under 10GCA §21109(b), you may request a hearing within five (5) calendar days of the date of this notice.

We look forward to working closely with you as partners in promoting health and sanitary practices on Guam. If you need further assistance, you can reach us at 735-7221 or (fax) 734-5556. Si Yu'us Ma'ase.

Sincerely,
James Gillan
JAMES GILLAN
Director

Issued By: C. NAVARRO
Name of EPHO

Received By: [Signature]
Establishment Representative